

unpatentable over the Fall 1993 issue of *LaserPulse* as applied to claims 1-10, 12, 24, and 25 above, and further in view of U.S. Patent No. 4,894,115 to Eichelberger et al. Claims 16 and 17 stand rejected under 35 U.S.C. § 103 for being unpatentable over the Fall 1993 issue of *LaserPulse* in view of Eichelberger as applied to claims 13, 15, 26 and 27 above, and further in view of U.S. Patent 3,931,458 to Dini. Claim 23 stands rejected under 35 U.S.C. § 103 for being unpatentable over the *LaserPulse* reference. Claim 22 stands objected to for being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim. Applicants respond to these rejections as follows.

All of the rejections rely on the prior art effect of the *LaserPulse* publication. As noted in applicant's response to the previous Office action, the *LaserPulse* publication and the 4420 brochure were published within one year of the U.S. filing date, so the applicant submitted a declaration stating that he wrote the relevant portion of the reference. However, an inventor was added to the application.

The Examiner states that the declaration is not persuasive because Mr. Owen does not state that he "invented" the relevant subject matter disclosed in the *LaserPulse* publication. The Examiner further contends that the declaration is deficient because it omits any reference to contributions by the added inventor, Mr. James N. O'Brien.

Accordingly, applicants submit herewith a Substitute Declaration of Mark D. Owen Concerning Authorship. The substitute declaration confirms the inventive roles of Mr. Owen and Mr. O'Brien with respect to the via drilling disclosure provided in both the *LaserPulse* publication and the 4420 brochure.

Applicants believe that the declaration should effectively remove the *LaserPulse* publication as prior art. The removal of this publication

overcomes the § 102(a) rejection and undermines the combinations of references supporting the obviousness rejections.

Applicants believe their application is now in condition for allowance and respectfully request the same.

Respectfully submitted,

Mark D. Owen and James N. O'Brien

By Michael L. Levine
Registration No. 33,947

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2300
Portland, Oregon 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
Attorney Docket No. 26860/33:37 USA